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Attorney's Docket No. 35718/204664 (5718-107)

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Flannagan *et al.* Confirmation No.: 5613
Appl No.: 09/715,909 Group Art Unit: 1647
Filed: November 17, 2000 Examiner: Robert C. Hayes
For: NOVEL BT TOXIN RECEPTORS FROM LEPIDOPTERAN INSECTS
AND METHODS OF USE

#14
S.G.
10/24/02

September 23, 2002

Commissioner for Patents
Washington, DC 20231

**Amendment, Petition, And Fee Deleting Correctly Named
Original Person Who Is Not Inventor Of Invention Now
Being Claimed (37 C.F.R. § 1.48(b))**

1. This amendment and petition under 37 C.F.R. § 1.48(b) is to delete the name of the following person originally named as inventor and who is not the inventor of the invention now being claimed:

2. Claims Now on File:

The claims in this application are as follows:

- ☒ originally filed claims 3, 8, 13, 15, 17, and 18.
- ☒ originally filed claims 1, 2, 7, 10, 11, 12, 14, and 16, as amended on May 10, 2002.
- ☒ claims 26-36 filed on May 10, 2002.
- ☐ claim(s) filed on , as amended on .

3. Status of Inventorship After Amendment:

John P. Mathis was an inventor of the invention disclosed in the above-identified patent application as filed on November 17, 2000. However, due to the restriction requirement issued by the Examiner on October 10, 2001 and the Applicants' response to restriction requirement filed January 3, 2002, those sequences for which John P. Mathis is an inventor

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Appl. No.: 09/715,909

Filed: November 17, 2000

Page 2

have been withdrawn from consideration in this application; therefore, the application as amended on May 10, 2002, no longer contains matter for which John P. Mathis is an inventor. Remaining inventors are Ronald D. Flannagan and Terry EuClaire Meyer.

4. Fee (37 C.F.R. § 1.17(i))

The fee required is paid as follows:

- ☒ Enclosed is a check for \$130.00.
- ☒ Charge Deposit Account No. 16-0605 for any fee deficiency.

Respectfully submitted,

Kathryn L. Coulter

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CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal service with sufficient postage as first class mail, in an envelope addressed to the Commissioner for Patents, Washington, DC 20231 on September 23, 2002.

Nora C. Martinez
Nora C. Martinez